

COMMONWEALTH OF VIRGINIA
Department of Environmental Quality
Blue Ridge Regional Office

STATEMENT OF LEGAL AND FACTUAL BASIS

Siegwerk USA Co.
Lynchburg, Virginia
Permit No. BRRO- 21535

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Siegwerk USA Co. has applied for a Title V Operating Permit for its Lynchburg facility. The Department has reviewed the application and has prepared a draft Title V Operating Permit.

Permit Witer/Contact:	<u>Keith M. Sandifer</u> Keith M. Sandifer (434) 582-6232	Date: <u>June 21, 2012</u>
Air Permit Manager:	<u>David J. Brown</u> David J. Brown	Date: <u>6/2/12</u>
Regional Director:	<u>Robert J. Weld</u> Robert J. Weld	Date: <u>6/21/2012</u>

FACILITY INFORMATION

Permittee

Siegwerk USA Co.
3535 SW 56th Street
Des Moines, Iowa 50321

Facility

Siegwerk USA Co.
4225 Murray Place
Lynchburg, VA 24501

State-County-Plant Identification Number: 51- 680-002111

SOURCE DESCRIPTION

NAICS Code: 562910 – Remediation of soil and groundwater

Siegwerk is permitted to operate an environmental site remediation of soil and groundwater containing toluene.

The facility is not a Title V major source of HAPs or criteria pollutants, but is subject to the requirements of 40 CFR 63, Subpart GGGGG –National Emission Standards for Hazardous Air Pollutants: Site Remediation. The facility became subject to MACT GGGGG before the October 31, 2006 State Operating Permit was issued to limit the HAPs from the facility to 10 tons per year for an individual HAP and 25 tons per year combination of HAPs. The ink manufacturing equipment was purchased by World Color. World Color kept the 30595 registration number for the ink manufacturing facility and Siegwerk was given a new Registration Number of 21535 with a State-County-Plant code of 51-680-00211. The liability for the site remediation remained with Siegwerk. World Color has since removed the ink manufacturing equipment, tanks, and loading racks and a shutdown agreement for the equipment and rescission of the ink manufacture permits with World Color has been processed. This Title V permit minor modification is to remove the shutdown ink manufacturing equipment. The requirements for the site remediation equipment have not changed.

COMPLIANCE STATUS

A full compliance evaluation of this facility as 30595 was conducted on August 26, 2010, including a site visit on August 26, 2010. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the following was found 1)the source had not been submitting semi-annual MACT compliance reports as required in 63.7951(a), 2) the source was

not keeping records of the annual tank inspections in accordance with 63.7897(a), 3) the source was not keeping records of the annual individual drain system inspections in accordance with 63.7917(a) and 4) the source did not report the deviations described in 1-3 in their Title V Semi-Annual Monitoring Report covering the period of Jan-June 2010. The source submitted the required information and a Partial Compliance Evaluation was conducted on November 3, 2010. The facility was determined to be back in compliance.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

See Condition II of the Title V permit.

EMISSIONS INVENTORY

A copy of the 2007 emission inventory is attached. Emissions are summarized in the following tables.

2007 Actual Emissions

	2007 Criteria Pollutant Emission in Tons/Year				
Emission Unit	VOC	CO	SO ₂	PM ₁₀	NO _x
Facility	6.5				
Total	6.5				

2007 Facility Hazardous Air Pollutant Emissions

Pollutant	2007 Hazardous Air Pollutant Emission in Tons/Yr
Toluene	6.5

PROCESS EQUIPMENT REQUIREMENTS – Soil Vapor Extraction and Groundwater Recovery Systems (Ref. Nos. S1 and S2)

Limits

Condition III.A.1. requires that the VOC emissions from the soil vapor and groundwater recovery systems shall be controlled by a thermal catalytic oxidizer with recuperative heat recovery and it shall be in operation when the soil vapor extraction and groundwater recovery systems are operating. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.A.2. requires that the thermal catalytic oxidizer shall maintain a control efficiency for VOC of no less than 95 percent on a mass basis. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.A.3. requires that the catalytic oxidizer maintain a minimum oxidizer inlet temperature of 600 °F. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.A.4. contains the opacity limit on the thermal oxidizer. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.A.5. contains the emission limits of the soil vapor extraction and groundwater recovery system. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.B.1. contains the requirement for catalyst activity tests. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.B.2. contains the requirement that the thermal oxidizer be equipped with devices to measure catalytic oxidizer gas temperature. This condition is taken from the NSR permit issued February 5, 2003

Condition III.B.3. contains the monitoring device observation requirements. This condition is taken from the NSR permit issued February 5, 2003.

Condition III.B.4. contains the opacity periodic monitoring.

A weekly observation for the presence of visible emissions is required when the soil vapor and groundwater recovery system is operating. They are to observe for the presence of visible emissions from the stack. If visible emissions are observed, the permittee will have the option to take timely corrective action to resume operations without visible emissions or perform a VEE in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions compliance. The permittee will keep a log of observations, any VEE recordings, and any corrective actions. If the soil vapor and groundwater recovery system has not operated during the week, this fact shall be noted in the log, and that the visible emission observation was not required.

Recordkeeping

Condition III.C contains the recordkeeping requirements. The records include annual hours of operation, operation and control device monitoring records for the catalytic oxidizer, the origin and value of all emission factors of all pollutants, and results of weekly opacity observations. This condition is taken from the NSR permit issued February 5, 2003

Testing

Condition III.D contains the testing requirements. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations. This condition is taken from the NSR permit issued February 5, 2003

MACT Requirements - Subpart GGGGG - National Emission Standards for Hazardous Air Pollutants: Site Remediation

Conditions IV.1 - 6. contains the requirements to comply with the Federal requirements of 40 CFR Part 63 Subpart GGGGG National Emissions Standards for Hazardous Air Pollutants: Site Remediation.

Facility Wide Conditions

Condition VI.A.1. contains the opacity requirement for new emission units.

Streamlined Requirements

There are no streamlined requirements.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement No. 2-2006".

This general condition cites the Articles that follows:

B.2 Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

B.3 Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

- B.1. 9 VAC 5-80-80. Application
- B.2. 9 VAC 5-80-150. "Action on Permit Applications"
- B.3. 9 VAC 5-80-80. "Application"
- B.4. 9 VAC 5-80-80. "Application"
- B.4. 9 VAC 5-80-140. Permit Shield
- B.5. 9 VAC 5-80-150. Action on Permit Applications

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

J. Permit Modification

This general condition cites the sections that follow:

- 9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190. Changes to Permits.
- 9 VAC 5-80-260. Enforcement.
- 9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources
- 9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas
- 9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

9 VAC 5-60-70. Designated Emissions Standards

9 VAC 5-80-110. Permit Content

STATE ONLY APPLICABLE REQUIREMENTS

There are no state only requirements.

FUTURE APPLICABLE REQUIREMENTS

There are no known future applicable requirements.

INAPPLICABLE REQUIREMENTS

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A 3 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

The facility is not subject to the requirements of MACT Subpart HHHHH – National Emissions Standards for Hazardous Air Pollutants: Miscellaneous Coating manufacturing, because they don't manufacture coatings. They are also not subject to MACT Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing, because they do not manufacture organic chemicals.

COMPLIANCE PLAN

A compliance plan is not required.

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

There are no insignificant emissions units.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

Public participation not required for this administrative permit amendment.